

## **REMARKS**

Claims 26, 32 and 54 are amended. Claims 33-37, 48-53, 55-57 and 59 are canceled. Claims 60 and 61 are added. Claims 26-30, 32, 54, 58, 60 and 61 are in the application for consideration.

The specification is amended to correct a typographical error.

Claim 26 is amended to overcome the Examiner's §112 rejection by reciting "inner" as opposed to the Examiner's proposed "lower". Such is consistent with opposing language appearing in Applicants dependent claim 58 as last-presented. Accordingly, withdrawal of the Examiner's §112 rejection of all claims in the application is requested.

Independent claim 26 stands rejected as being anticipated by U.S. Patent No. 6,376,304 to Matsuoka et al. Applicant disagrees and requests reconsideration. The Examiner relies upon a dictionary definition of "proximate", and thereafter asserts that the Matsuoka et al. "lower electrodes . . . are within 300 nm" of its insulative layer 902, and are thereby deemed to be elevationally proximate in accordance with Applicants claim 26. The undersigned does not find the literal language upon which the Examiner relies referring to 300 nanometers. Regardless, 300 nanometers is equivalent to 3,000 Angstroms. Further, Applicant defined "elevationally proximate" in its specification as-filed at p.9, Ins.16-17 as requiring elevationally "within 50 Angstroms". Accordingly, that upon which the Examiner relies, being 3,000 Angstroms, is 60 times greater in distance, and

thereby not "elevationally proximate", or even close thereto, that which Applicant recites in independent claim 26. Accordingly, the Examiner is mistaken that Applicant's independent claim 26 is anticipated by the newly cited Matsuoka et al. reference, and the rejection should be withdrawn. Action to that end is requested.

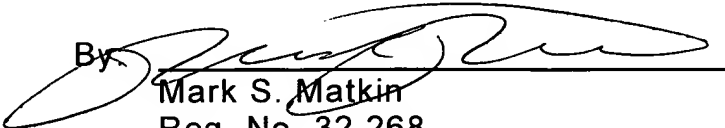
Applicants dependent claims should be allowed as depending from an allowable base claim, and for their own recited features which are neither shown nor suggested in the cited art. Action to that end is requested.

New claims 60 and 61 are added, and are clearly supported by Applicants application as-filed at least in the figures in Fig. 10 depicting the inner capacitor storage electrodes as having a container shape, and only part of which is received within individual openings formed within the insulative material. Accordingly, no new matter is added.

This application is believed to be in immediate condition for allowance and action to that end is requested.

Respectfully submitted,

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